



# **Pipeline Safety: Regulatory Agenda**

Office of Pipeline Safety

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U.S. Department of Transportation  
Pipeline and Hazardous Materials  
Safety Administration

**PHMSA: Your Safety is Our Mission**



# Recent Happenings



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- Recently Published Rulemakings
  - Class Location
  - Gas Regulatory Reform
  - Standards Update
- PIPES Act 2020
  - Impact on current regulatory agenda
  - New Regulatory Mandates
  - Administrative regulatory matters



# Administration Transition

- President's Chief of Staff Regulatory Freeze memo on January 20, 2021
- Various Executive Orders; and Termination of EO 13771 (2 for 1) and 13777
- Executive Order On Protecting Public Health And The Environment And Restoring Science To Tackle The Climate Crisis – EO 13990
- Executive Order On Revocation Of Certain Executive Orders Concerning Federal Regulation



# Administration Transition

- New Leadership
  - Secretary Pete Buttigieg
  - Acting General Counsel for DOT – John Putnam
  - Acting PHMSA Administrator/Deputy Administrator – Tristan Brown



# Current Rulemakings in Process





# 2021 PAC Activity

- No PAC meetings (GPAC or LPAC) are currently scheduled.
- PHMSA has issued three NPRM's (Class Location; HL Regulatory Reform; Standards Update) that require PAC action prior to issuing final rule.
- Will be engaging new leadership on path forward.



# Safety of Gas Transmission Lines (RIN-2)

- Final rule stage
- NPRM published 4/8/2016
  - Comment period closed 7/7/2016
  - Split from original Gas Transmission NPRM
- GPAC meetings held January 2017; June 2017, Dec 2017, March 2018
- Major Topics under consideration
- Final rule under development





# Safety of Gas Gathering Lines (RIN-3)

- Final rule stage
- NPRM published 4/8/2016
  - Comment period closed 7/7/2016
  - Split from original Gas Transmission NPRM
- GPAC Meetings held June 2019
- Major Topics under consideration
- PIPES Act 2020 mandate to complete rule by March 28, 2021



# Rupture Detection and Valve Rule

- Final Rule Stage
- NPRM published 2/6/20
  - Comment period closed 4/6/20
- PAC Meetings held 7/22/20 to 7/23/20
- Major Proposals
- In PHMSA's 2020 Appropriations (Budget) Bill; Congress directed for this final rule to be completed by June 28, 2021.



# Gas Pipeline Regulatory Reform

- Final Rule Stage
- Two Subsequent Final Rules published 3/6/21
  - 1. Delayed effective date to 3/21/21
  - 2. Made minor corrections
- Final Rule published 1/11/21
- PAC Meetings held 10/7/20
- NPRM published – 6/9/20
  - Comment period closed 8/10/20
- Major Topics in Final Rule



# Class Location Requirements

- NPRM stage
- NPRM published 10/14/20
  - Comment period ended 12/14/20
- Current Requirements when class locations change
- Major Topics under consideration
- PIPES Act 2020 mandate to complete rule by March 28, 2021



# Liquefied Natural Gas

- NPRM Stage
- Major Topics under consideration:
- PIPES Act 2020 (Section 110; PSM)



# Standards Update

- NPRM Stage
- NPRM published 1/15/2021
  - Comment period ends 3/16/2021
- Major Topics under consideration
- Standards Update II (upcoming rule)
  - Significant vs Non-Significant rulemakings



# Liquid Pipeline Regulatory Reform

- NPRM Stage
- NPRM published 4/16/20
  - Comments due by 6/15/20
- Major Topics under consideration
- Next Action: PAC Meeting





# USA Definition

- Addresses Beaches and Coastal Waterways
- Stage TBD
- PHMSA held public meetings on November 17, 2017 and June 12, 2019
- PHMSA recently updated its NPMS
- Major Topics under consideration
- Next action TBD (PIPES Act 2020 Mandate to issue final rule in 90 days)



# Hazardous Liquid Repair Criteria

- NPRM stage
- Split from original Hazardous Liquid NPRM published on 10/13/2015
- LPAC Meeting held on 2/1/2016
- Major Topics under consideration
- NPRM TBD



# Leak Detection

- Rulemaking addresses Leak Detection issues (GT/GG/GD) addressed in Section 113/Section 114 of the PIPES 2020 Act
- Considering revisions to leak survey frequency, repairs of leak survey and the use of Advance Leak Technology.
- Section 114 contains self executing provision for operators to minimize releases of natural gas.
- Per section 114, PHMSA is initiating a study on best available practices to minimize leaks.



# Safety of Gas Distribution Pipelines

- NPRM Stage
- Addresses Leonel Rondon Act in the PIPES Act of 2020
- Major Topics Under Consideration
- Estimated NPRM Pub date July 2022



# Idle Pipeline

- PIPES Act of 2020 defines an Idled Pipeline
  - Will not resume service in 180 days
  - Has been isolated from all sources of hazardous liquid, natural gas has been purged.
- Finalizes regulations within 2 years prescribing the applicability of the pipeline safety regulations to idled pipelines.
- API RP 1181; addresses Idles Pipelines



# Additional PIPES Act 2020 Mandates

- Miscellaneous
  - SRCR Section 121 – Self executing provision
  - Cost Recovery – Section 103
  - Enforcement Proceedings – Section 108
  - Drug Enforcement – Section 117(a)
- Administrative
  - Rulemaking Reporting – Section 106



# Current Rulemakings in Process

## Frequently Asked Questions (FAQs)

Name	Status
Gas Transmission Batch-1 FAQs	Finalized/Posted on website September 2020
Hazardous Liquid Rule FAQs	Finalized/Posted on website December 2020
Farm Tap FAQs	Proposed in Federal Register on 4/20/2020; comment period closed 6/19/2020
Mid Stream FAQ	Proposed in Federal Register on 11/5/2020; comment period closed 2/4/2021
Operator Qualification FAQs	Proposed in Federal Register on 1/15/2021; comment period closed 2/16/2021
Gas Transmission Batch-2 FAQs	Proposed in Federal Register on 1/15/2021; comment period closed 3/16/2021





# Current Rulemakings in Process

## Information Collection Activity; Gas Transmission Annual and Incident Report

***Notice published 12/17/20; comment period ends 2/16/21***

*This notice includes PHMSA's response to comments received regarding the form changes approved in conjunction with the Gas Transmission Final Rule including PHMSA's decision to remove the requirement for reporting the completeness of MAOP records for class 1 and 2 segments that are non-HCA or non-MCA*

### ***Gas Transmission Annual Report***

- Collecting data on the number of miles of gas transmission pipelines in HCA by method and the type of risk model used in response to NTSB Recommendation P-15-15
- Collecting data on the number of relief valve lifts and compressor station emergency shutdown (ESD) events that occurred within a calendar year

### ***Gas Transmission Incident Report***

- Removing the requirement for operators to report relief valve lifts and compressor station ESD events when the systems function as expected.



# NAPSR PHMSA Distribution Team

- Work on Current Event and Identified Topics/Issues
- Responsible for Inspection Form Content
- Provide Support to PHMSA and NAPSR on Distribution Topics



# Questions

- Thank You for Your Participation in Pipeline Safety

